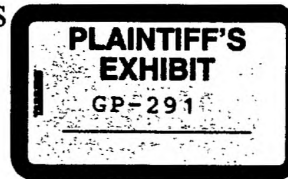


IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO



ROGER DALE BLAKE, ET AL.,

Plaintiffs,

v.

A-BEST PRODUCTS COMPANY ET
AL.,

Defendants.

CASE NO. CV96 01 0191
(Hon. George Elliott)

**DEFENDANT GEORGIA-PACIFIC CORPORATION'S ANSWERS TO
PLAINTIFFS' MASTER SET OF INTERROGATORIES**

COMES NOW Defendant Georgia-Pacific Corporation (hereinafter referred to as "Georgia-Pacific"), a Defendant in the above-styled action, by and through its attorneys of record and responds to Plaintiffs' Master Set of Interrogatories Propounded to Defendant Georgia-Pacific Corporation as follows:

GENERAL OBJECTIONS

Georgia-Pacific objects to the definitions and instructions which precede Plaintiffs' Master Set of Interrogatories on the basis that they are overly broad, unduly burdensome, seek to impose a burden upon Georgia-Pacific which exceeds the permissible scope of discovery under the Ohio Rules and seek to obtain information and/or identification of documents which are protected by the attorney/client privilege or are otherwise work product. Georgia-Pacific further objects on the basis that Plaintiffs seek to impose a continuing duty on Georgia-Pacific which is contrary to the scope of discovery permitted under the Ohio Rules. Georgia-Pacific also objects to these interrogatories to the extent that they are not limited by relevant scope or time. These objections are applicable to Georgia-Pacific's response to each and every request herein, whether or not specifically stated in such response.

PRELIMINARY STATEMENT

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Some of the events which may be relevant to the matters inquired into by these Interrogatories occurred more than thirty (30) years ago. In addition, effective April 28, 1965, Georgia-Pacific acquired the Bestwall Gypsum Company ("Bestwall"), which manufactured, among other things, a limited number of asbestos-containing products and Georgia-Pacific continued the manufacture, sale and/or distribution of such products through its Gypsum Division until the cessation of the same at various times thereafter. Prior to its merger with Bestwall, Georgia-Pacific did not manufacture any asbestos-containing products. After its merger with Bestwall, Georgia-Pacific manufactured and/or distributed these asbestos-containing products through its Gypsum Division. Unless otherwise stated, each response and statement contained herein, which specifically relates to Georgia-Pacific, relates to the relevant time periods during which and the asbestos-containing products that Georgia-Pacific manufactured and/or distributed through its Gypsum Division. In 1977, Georgia-Pacific ceased the manufacture of asbestos-containing products and since that time has not engaged in any manufacture of such products. It does not now nor has it since 1977 manufactured any asbestos-containing products.

Many of the individuals who might have had personal knowledge of the matters to which these Interrogatories relate are deceased or are otherwise unavailable to Georgia-Pacific, and investigations to date indicate that at least some information and documents which might relate to matters inquired into by these Interrogatories may have been destroyed pursuant to Georgia-Pacific's or Bestwall's normal record retention policy or are otherwise unable to be found. Georgia-Pacific is engaged in a continuing investigation in an attempt to locate or confirm the absence of such information and Georgia Pacific also is engaged in a continuing investigation with respect to the matters inquired into by these Interrogatories. Unless otherwise specifically stated, each Response set out hereinafter is limited to the relevant products and time period during which Bestwall Gypsum Company and the Georgia-Pacific Gypsum Division manufactured asbestos-containing products and to the facilities related to that business. The

following is a part of and is incorporated by reference into every Response provided herein after:

This Response is based on reasonable investigation and is believed to be accurate as of the date made. However, Georgia-Pacific's investigation of matters that may be relevant to its Response is continuing, and Georgia-Pacific cannot exclude the possibility that it may be able to obtain more complete information or even information which indicates that the Response being supplied is incorrect. Georgia-Pacific objects to responding to Plaintiffs' Interrogatories in regard to any period of time other than the period during which its Gypsum Division engaged in the manufacture of the asbestos-containing product(s), if any, allegedly involved in this litigation, which ended no later than 1977, or concerning any facility not related to that business, on the basis that any such Response would be irrelevant to the subject matter of this litigation, would not be reasonably calculated to lead to the discovery of relevant and admissible evidence, and would be burdensome and oppressive. Unless otherwise specifically stated, this Response refers solely to the products that plaintiff contends are at issue.

CORPORATE NAME

1. For each Interrogatory below, please state the name and last known address of each person answering it, including whether he/she is employed by Defendant and if employed by Defendant include job title, length of time employed by Defendant and a year by year list of all other positions, titles, or jobs held when working for Defendant.

ANSWER:

Georgia-Pacific Corporation objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving this objection, Georgia-Pacific states the answers to these Interrogatories were prepared after consultation and review of documents and information in Georgia-Pacific's possession which has been drawn from various individuals and sources within the company. It is no possible to list each and every individual who has contributed to the compilation of information.

2. Please state whether or not Defendant is a corporation. If so, please state:

- (a) Your correct corporate name;
- (b) The state of your incorporation;
- (c) The address of your principal place of business;
- (d) Your registered agent for service in the State of Ohio.

ANSWER:

- (a) Georgia-Pacific Corporation;
- (b) Georgia;
- (c) 133 Peachtree Street, N.E., Atlanta, Georgia 30303;
- (d) CT Corporation.

3. Please describe Defendant's corporate history including any:

- (a) Mergers;
- (b) Consolidations
- (c) Asset purchases;
- (d) Acquisitions; or
- (e) Spinoffs.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it seeks information which is neither relevant to the subject matter of the complaint nor reasonably calculated to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this interrogatory would impose an undue burden and expense on Georgia-Pacific; and that the interrogatory is vague, ambiguous, overly broad and oppressive. Subject to and without waiving these objections, Georgia-Pacific answers that it has had the following prior names:

<u>Date</u>	<u>Name</u>
Current	Georgia-Pacific Corporation
04-28-65	Georgia-Pacific Corporation merged with Bestwall Gypsum Company
04-27-56	Georgia-Pacific Corporation
04-02-51	Georgia-Pacific Plywood Company

03-26-48 Georgia-Pacific Plywood & Lumber Company

01-04-45 Georgia Hardwood Lumber Company

09-22-27 Georgia Hardwood Lumber Company, Inc.

4. Please state whether or not the Defendant has purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity (such corporations or entities being limited to those engaged in the mining, selling, manufacturing, marketing, or distribution of asbestos-containing products). If so, please state the following:

- (a) The name of each such corporation or entity;
- (b) Date of acquisition;
- (c) The nature of the company as it relates to asbestos.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it seeks information which is neither relevant to the subject matter of the complaint nor reasonably calculated to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this interrogatory would impose an undue burden and expense on Georgia-Pacific; and that the interrogatory is vague, ambiguous, overly broad and oppressive.

Georgia-Pacific further answers that, during the past ten years, Georgia-Pacific has purchased in excess of 100 companies. If the plaintiff will identify what companies' products he was exposed to, Georgia-Pacific will attempt to see if it ever owned the company. Bestwall Gypsum Company, with whom Georgia-Pacific merged in 1965, began manufacturing asbestos-containing products in 1956. As of 1977, Georgia-Pacific ceased the manufacture of all asbestos-containing products.

EVER-SELL ASBESTOS

5. Has Defendant ever engaged in the mining, manufacturing, selling, marketing, installation or distribution of asbestos-containing products? If so, please state the following:

- (a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);
- (b) As to each product mined, manufactured, sold, marketed, installed or distributed, please state the following:
 - 1. The trade or brand name.
 - 2. Its identification number (model, serial number, etc.).

3. The time period it was manufactured, mined, marketed, distributed or sold.
4. Its physical description including color, general composition, and form.
5. A detailed description of its intended use and purpose.
6. A detailed description of the type package in which it was sold, listing the dates of each type of package used, a physical description of the package, and a description of any printed material or trademarks that appeared thereon.
7. The percent of asbestos which it contained.
8. The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite).
- (c) The time period during which each of these products were on the market;
- (d) A description of the physical composition of each product;
- (e) How each of these asbestos-containing product can be distinguished from those of competitors;
- (f) A description of the physical appearance of such product;
- (g) A detailed description of the intended uses.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence, particularly in light of the fact that the plaintiff has not alleged exposure to any specific Georgia-Pacific products.

6. Does Defendant or any of its subsidiary companies claim that any patent would cover any product listed in answer to Interrogatory No. 5? If so, please state the following:

- (a) The date of each patent;
- (b) The date same was issued;
- (c) The number of each patent application that is pending.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence, particularly in light of the fact that the plaintiff has not alleged exposure to any specific Georgia-Pacific products. Georgia-Pacific further objects to this interrogatory on the grounds that it seeks information which is a trade secret. Subject to and without waiving this objection, Georgia-Pacific states that once plaintiff has alleged injury due to exposure to a specific asbestos-containing product or products manufactured by Georgia-Pacific, documents relevant to those

products will be made available for inspection by Plaintiffs' counsel at Georgia-Pacific headquarters in Atlanta, Georgia, at a time mutually convenient to both parties.

7. Have any of the products listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed? If so, please state the following:

- (a) The trade name of each such product;
- (b) The date each such product was altered;
- (c) The nature of the alteration;
- (d) The reason for the alteration.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

Georgia-Pacific further objects on the basis that the information sought by this Interrogatory is proprietary in nature and involves privileged trade secrets. Subject to and without waiving this objection, Georgia-Pacific states that minor formula changes may have been made from time to time in the product lines for a number of reasons including, but not limited to, improvements in product workability and availability of raw materials.

8. Have any of the asbestos-containing products listed in response to Interrogatory No. 5 ever been marketed, distributed, packaged, labeled, and/or sold by any other company or business? If so, please state the following:

- (a) The name and address of each such company.
- (b) The names and address of Defendant's distributors in Ohio and Illinois since 1940.
- (c) The date of each sale.
- (d) The name of the person at each location with whom you primarily dealt.
- (e) A list of all asbestos-containing products that you sold to each location from 1945 to 1980.
- (f) The amount of each asbestos product sold to each location during this period.
- (g) Please identify all documents relating to this distributor for the particular location.

ANSWER:

Georgia-Pacific to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving this objection, Georgia-Pacific states that it sold a small amount

of asbestos-containing products to Johns-Manville, Flintkote Corporation, and Big Horn Gypsum Company, which would have been sold under the buyer's label in the mid-60's and early 70's.

8.1 Does Defendant have reason to believe that the asbestos-containing products listed in response to Interrogatory No. 5 were used at the ARMCO/A.K. Steel Middletown Plant and/or the ARMCO/A.J. Steel Hamilton Plant. If your answer is "yes", please state the basis of your answer.

ANSWER:

No.

8.2 For each company or business that Defendant knows may have marketed, distributed, installed, and/or sold, those products listed in response to Interrogatory No. 5 ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, please state the following:

- (a) The name and address of each such company;
- (b) The date of each sale from defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt.
- (d) Names and quantities of the asbestos-containing products that you marketed, distributed, installed, and/or sold to each such company from 1950 to 1974.
- (e) Please identify all documents relating to the sales to each such company.

ANSWER:

See Georgia-Pacific's response to Interrogatory 8.

8.3 If you do not know any business that may have marketed, distributed, installed, and/or sold the products listed in response to Interrogatory No. 5 to ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, please state the names and last known addresses of those companies who Defendant knows marketed, distributed, and/or sold their asbestos-containing products in Ohio from 1950 to 1974. For each of those companies, please state the following;

- (a) Name and address of each such company;
- (b) The dates of each sale from Defendant to such other company
- (c) The name of the person at each other company with whom Defendant primarily dealt;
- (d) The names of the asbestos-containing products that Defendant marketed, distributed, and/or sold to each such company from 1950 to 1974.

ANSWER:

See Georgia-Pacific's response to Interrogatory 8.

8.4 Does Defendant have records and/or any knowledge that reflects sales of their asbestos-containing products to ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant? If so, please state:

- (a) The names and last known addresses of those people with such knowledge.
- (b) The location of such records.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome, particularly in the absence of any evidence of plaintiff's identification of and exposure to an asbestos-containing product manufactured, sold, or distributed by Georgia-Pacific. Subject to and without waiving these objections, Georgia-Pacific states that, based upon a reasonable inquiry, it has no records or any knowledge that reflects sales of its asbestos-containing products to the locations listed in Interrogatory 8.4.

9. Did Defendant or any of Defendant's distributors, as listed in response to Interrogatory Nos. 8.1, 8.2, and/or 8.3 have sales representatives who specifically called on ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, from 1945 to 1975? If your response is yes, as to each facility, please state the following:

- (a) The name and last known address of each such representative and whether they are still employed by Defendant;
- (b) The period of time they acted as your representative;
- (c) Their general responsibility as to each facility; and
- (d) Whether that person is still alive.

ANSWER:

Georgia-Pacific objects to this interrogatory on the basis that it seeks information which is neither relevant to the subject matter of the complaint nor reasonably calculated to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this interrogatory would impose an undue burden and expense on Georgia-Pacific; and that the interrogatory is vague, ambiguous, overly broad and oppressive.

10. Did Defendant ever have any division or subsidiary engaged in the contract business of applying asbestos-containing products? If so, please state:

- (a) The name of each subdivision;
- (b) The full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business; and

- (c) Whether said division or subsidiary conducted such business at ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, from 1954 to 1975? If so, please state:
1. The dates of such contracts;
 2. The specific asbestos-containing products that were used in each contract.

ANSWER:

No.

11. Did Defendant ever have any division or subsidiary engaged in the contract business of applying asbestos-containing refractory? If so, please give the name of each subdivision, the full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business.

ANSWER:

No.

12. Please identify by location and product produced, each plant in which products listed in your answer to Interrogatory No. 5 have been manufactured and/or assembled and the dates said plants have been in operation.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence, particularly in light of the fact that the plaintiff has not alleged exposure to any specific Georgia-Pacific products. Subject to and without waiving this objection, Georgia-Pacific refers the Plaintiffs to its Preliminary Statement to its responses to these Interrogatories.

13. Has Defendant, at any time, entered into a "rebranding" agreement with any other company, either as a buyer or a seller, concerning any asbestos-containing products and/or materials? If so, please state:

- (a) The name of the company manufacturing the asbestos products under such agreement;
- (b) The trade name affixed to such products;
- (c) The periods of time covered by each such agreement;
- (d) The volume (in dollars amounts) of each such transaction;
- (e) The purchaser of such products;
- (f) Does Defendant currently have in its possession any of the writings or contracts concerning such rebranding agreement?

ANSWER:

Georgia-Pacific to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving this objection, Georgia-Pacific states that it sold a small amount of asbestos-containing joint system products to Johns-Manville, Flintkote Corporation, and Big Horn Gypsum Company, which would have been sold under the buyer's label in the mid-60's to early 70's.

INFORMATION ABOUT DESIGN/TESTING

14. What is the name, address and job title of each individual who participated in the design and preparation of manufacturing specifications for each such product listed above in answer to Interrogatory No. 5?

ANSWER:

G. A. Hoggatt, Technical Director, 1956-1963, Charles Shuttleworth, Director of Research and Quality Control, 1963-1967, and C. W. Lehnert, Product Development and Technical Services Manager of Gypsum and Roofing Division, 1967-1977.

15. As to each product listed in response to Interrogatory No. 5, please describe how each product was to be cut, shaped, scribed, mixed and applied on the job. (In answering this question, give particular reference as to whether or not the materials were to be sawed or cut on the job, blown into confined areas, mixed with water in a cement or paste.)

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence, particularly in light of the fact that the plaintiff has not alleged exposure to any specific Georgia-Pacific products.

16. Based upon the material contents of the asbestos-containing products, the method of manufacturing, and the method of application, please state which products listed in Interrogatory No. 5 could be applied by a worker without creating dust.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence, particularly in light of the fact that the plaintiff has not alleged exposure to any specific Georgia-Pacific products.

17. Do any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character now exist relating to the design and preparation of the products listed in answer to Interrogatory No. 5? If so, please:

- (a) List each such material or document;
- (b) Identify the person or persons presently in possession of each such document;
- (c) State where each such document is located.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence, particularly in light of the fact that the plaintiff has not alleged exposure to any specific Georgia-Pacific products.

18. Prior to releasing the products listed in Interrogatory No. 5 for sale and usage, were any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state:

- (a) The name of the products tested and the date of each test.
- (b) The name, address, and job classification of each individual who conducted such tests;
- (c) The results of such tests.

ANSWER:

To the best of Defendant's knowledge, Georgia-Pacific had no information prior to selling asbestos-containing products to indicate that the appropriate use of any asbestos-containing products presented a potential health hazard. When Georgia-Pacific received information to indicate that a potential health hazard might exist, with respect to the appropriate use of like products used in the building construction industry, Georgia-Pacific began immediately to eliminate asbestos from its products and/or placed caution labels on such products. As of 1977,

Georgia-Pacific ceased the manufacture of asbestos-containing products and since that time has not engaged in the manufacture of such products.

19. Does Defendant have or control any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character relating to the testing of the products listed in Interrogatory No. 5 hereinabove.

- (a) Identify each such written material or document;
- (b) Identify each person who presently has possession of each such document;
- (c) State where each such document is located.

ANSWER:

See Georgia-Pacific's response to Interrogatory 18.

20. Were any design changes or modifications made as a result of such tests listed in answer to Interrogatory No. 18 hereinabove? If so, please state:

- (a) The trade name of the product changed or modified;
- (b) The nature of the change made and the date of such changes or modifications;
- (c) The name, address, and job classification of each person in charge of making a change.

ANSWER:

Not applicable.

21. After releasing for sale, distribution or marketing the products listed in answer to Interrogatory No. 5, did Defendant conduct any tests (either on animals or humans) to determine potential health hazards involved in the use of said materials and/or products?

- (a) The names of the products tested and the dates of said tests;
- (b) The name, address, and job classification of each person and/or agency conducting said tests;
- (c) The results of said tests;
- (d) Whether, as a result of any tests conducted, any products were removed from the market;
- (e) The names of all products removed from the market as a result of said tests.

ANSWER:

Georgia-Pacific objects to this question to the extent that prior to the time Georgia-Pacific placed products that contained a small amount of asbestos on the market, Georgia-Pacific did not know or have reason to know that any ingredient in any product which it made was hazardous.

To the best of our knowledge, Georgia-Pacific did not conduct medical tests. When Georgia-Pacific first heard a suggestion that there might be a potential health hazard to persons appropriately using products similar to those manufactured by this defendant, Georgia-Pacific immediately began a reformulation program to substitute asbestos in the products.

22. Has Defendant ever conducted or caused to be conducted any studies concerning the effects of the inhalation of asbestos dust and/or fibers on workers or other persons applying, using and/or working around any of the asbestos products manufactured, sold, distributed and/or relabelled for distribution by you or your predecessor? If so, please state:

- (a) The dates and nature of such studies;
- (b) The names and address of persons conducting such studies;
- (c) The purpose of such studies;
- (d) Identify and list those persons to whom such reports were given and the date of such dissemination;
- (e) State any publication or other written dissemination of the results of such studies;
- (f) State the nature of any action to eliminate or minimize the inhalation of asbestos dust fibers; and
- (g) Attach a copy of reports based upon such studies.

ANSWER:

Georgia-Pacific objects to this Interrogatory to the extent that it is vague in its use of the term "studies," overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Georgia-Pacific further objects to the extent that the Interrogatory seeks information regarding the manufacturing process, which information is irrelevant to any issue involved in this litigation, and to the extent that the Interrogatory calls for medical and scientific opinions of an expert nature. Subject to and without waiving its objections, and limiting its response to end-product use, Georgia-Pacific states that it is unaware of any "studies" conducted by it for the specific purpose of learning if the inhalation of asbestos fibers is harmful. Georgia-Pacific states that when it acquired information which suggested there might be a potential hazard to persons using products in the building industry similar to those produced by Georgia-Pacific, it began a reformulation program which resulted in the elimination of asbestos from its product line. Georgia-Pacific further states that, as a member of the Gypsum Association, it supported studies of the nature and extent of exposure to asbestos-containing dust

by persons reasonably expected to be using such asbestos-containing products. Georgia-Pacific further answers that it is impossible to identify each and every study it has sponsored or contributed to through its participation and trade organizations. At all times, Georgia-Pacific relied upon the information provided through OSHA and other governmental agencies regarding the use of protective respiratory devices during the use of any of its asbestos-containing products. Such information was provided to the end-users of such products through caution labels which were in compliance with OSHA recommendations.

INFORMATION ABOUT SAFETY

23. Before placing in the market the asbestos-containing products that Defendant, mined, manufactured, sold, marketed, installed or distributed on the market, did Defendant make or cause to be made, any studies to determine whether their asbestos-containing products would be hazardous to people? If so, please state:

- (a) The date of said studies;
- (b) What studies were done; and
- (c) The titles of each study.

ANSWER:

See Georgia-Pacific's responses to Interrogatory Nos. 18 and 22.

24. Please state whether or not Defendant ever conducted or caused to be conducted any tests in the field (where asbestos-containing products were applied, removed or utilized) to determine the nature and extent of asbestos dust and/or fiber exposure to insulators, applicators, fellow employees, or other workers removing and/or tearing out asbestos-containing products, and/or other workers in the vicinity thereof? If so, please identify:

- (a) The date, please and nature of each and every test;
- (b) The particular asbestos-containing products to which each test applied;
- (c) The results of each test with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site; and
- (d) The persons to whom the results said tests were given and the date of such dissemination.

ANSWER:

See Georgia-Pacific's responses to Interrogatory No. 18.

25. Please state whether or not Defendant ever obtained any knowledge concerning the likelihood of asbestos being hazardous to human health. If so, please state:

- (a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers;

- (b) The manner in which the Defendant, Defendant's predecessor, or Defendant's subsidiary companies first obtained this knowledge and became aware of said hazards and from what source this information was obtained;
- (c) What information was disseminated within Defendant's company, or is subsidiary or predecessor regarding such adverse consequences or effects;
- (d) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form;
- (e) The name, address and job classification of the custodian of such information.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving this objection, Georgia-Pacific states that there was no information in the published medical or scientific literature to indicate a potential health hazard from any drywall finishing product until 1975. In 1970, when Georgia-Pacific first received information which suggested the possible health hazard with respect to the appropriate use of products used in the building construction industry, Georgia-Pacific began to eliminate asbestos from its products and/or place caution labels on those products. As of 1977, Georgia-Pacific ceased the manufacture of asbestos-containing products and since that time has not engaged in any manufacture of such products.

26. Please state when Defendant first became aware of the possible association between inhalation of asbestos dust and/or fibers and the contraction of asbestosis and cancers including, but not limited to gastrointestinal cancer, laryngeal cancer, renal cancer, lymphoma, lung cancer and mesothelioma. As to each disease or condition, please state the source of that information, including a description of all tests conducted relative to the possibility of such a relationship.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it is overly broad, unduly burdensome, and irrelevant in that it is not reasonably calculated to lead to the discovery of admissible evidence. Georgia-Pacific further objects to this Interrogatory on the basis that it requests information prior to the time it began manufacturing asbestos-containing products and to the extent that the Interrogatory calls for medical and scientific opinions of an expert nature.

27. Please identify all physicians, industrial hygienists, and other employees (including their names and addresses) who were employed, retained or otherwise engaged by Defendant for research, investigation or study concerning asbestos-related diseases.

ANSWER:

Georgia-Pacific has never employed a full-time or part-time physician, at any of its facilities, as part of its corporate or divisional staff. Georgia-Pacific has hired three industrial hygienists. Donald Olsen was hired in January of 1979 and was replaced by Steven Tochilin in October of 1982. Mr. Tochilin was replaced by Rudi Fillingin in April of 1988. All were assigned to corporate headquarters. None of these individuals were hired specifically for asbestos.

28. As to each person who acted in a medical advisory capacity (as it relates in any way to asbestos) to Defendant, please list their name, the date individual acted in this capacity, and that person's current address and job title.

ANSWER:

Georgia-Pacific objects to this interrogatory on the grounds that the phrase "medical advisory capacity" is vague, ambiguous, overly broad, and not reasonably calculated to lead to the discovery of admissible evidence, particularly in the absence of any specific or verified evidence of the plaintiff's identification or and exposure to an asbestos-containing product manufactured, sold, or distributed by Georgia-Pacific.

29. Please state if any medical officer or industrial hygienists or medical consultant ever made at any time any recommendations and/or suggestions to Defendant pertaining to risks or hazards to persons involved in the manufacture or use of asbestos products and, if so, please state when, by whom or to whom such recommendations and/or suggestions were made and the substance of each recommendation.

ANSWER:

Georgia-Pacific objects on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Georgia-Pacific states that, to the best of its knowledge, no. Georgia-Pacific never employed a "medical officer." Any recommendations or suggestions made by any

of Georgia-Pacific's industrial hygienist would have been since 1979, long after Georgia-Pacific ceased manufacturing asbestos-containing products.

30. Please state the scientific and/or medical periodicals to which Defendant, its medical department, research department, industrial hygiene divisions, engineering department or consulting physicians subscribed between 1945 and 1975.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it seeks information which is neither relevant to the subject matter of the complaint nor reasonably likely to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this Interrogatory would impose an undue burden and expense on Georgia-Pacific; and the interrogatory is vague, ambiguous, overly broad, and oppressive. It would be impossible to identify each such subscription because Georgia-Pacific has not kept records concerning periodical subscriptions from 1945-1975.

31. State in detail what test, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust, fibers or particles to which workers were exposed while using, working with and/or around, installing and/or applying your asbestos-containing products.

ANSWER: Georgia-Pacific objects to this Interrogatory on the basis that it is overly broad, unduly burdensome, and irrelevant in that it is not reasonably calculated to lead to the discovery of admissible evidence. Georgia-Pacific further objects to this Interrogatory to the extent that the Interrogatory calls for medical and scientific opinions of an expert nature. Without waiving its objections, Georgia-Pacific answers that it relied upon the standards set by the U.S. Government through OSHA, but was aware of ongoing controversy in the medical and scientific community as to what regulations and standards were necessary or appropriate.

32. For each test described in Interrogatory No. 31, please give the name of the person conducting the test, the date of the test, and attach true copies of any documents, including but not limited to, reports, findings or memoranda concerning such tests or studies.

ANSWER:

See Georgia-Pacific's Response to Interrogatory 31.

33. Please state the year that Defendant was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists and state the name of the employee/official of the company receiving such advice.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it seeks information that is neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this Interrogatory would impose an undue burden and expense on Georgia-Pacific; and that the Interrogatory is vague, ambiguous, overly broad and oppressive. Without waiving its objections, Georgia-Pacific answers that it relied upon the standards set by the U.S. Government through OSHA, but was aware of ongoing controversy in the medical and scientific community as to what regulations and standards were necessary or appropriate. Georgia-Pacific is unable to ascertain the exact date upon which it became aware of such recommendations.

34. Does Defendant maintain a library dealing with industrial hygiene, medicine, safety and engineering and/or research? If so, state:

- (a) The date each such library was established;
- (b) The location of each library;
- (c) The name(s) of the librarian(s) since 1930;
- (d) List all journals subscribed to by you concerning asbestos, industrial hygiene, medicine, safety, and/or engineering;
- (e) List all books and articles dealing with asbestos-related diseases and the date acquired.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it seeks information which is neither relevant to the subject matter of the complaint nor reasonably calculated to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this Interrogatory would impose an undue burden and expense on Georgia-Pacific; and that the interrogatory is vague, ambiguous, overly broad and oppressive. Georgia-Pacific further objects on the basis that this Interrogatory is not limited in scope and/or time. Subject to and without

waiving its objections, Georgia-Pacific states that it formerly maintained a general library between 1969 and 1994. It was not set up as a medical or scientific library.

35. Did Defendant in the 1920's or 1930's commission, or participate in the arrangements with Metropolitan Life Insurance Company for studies at the Trudeau Foundation at Saranac Lake, New York, concerning the effect of inhalation or ingestion of asbestos fibers upon human and/or animal bodies.

ANSWER:

No, to the best of our knowledge.

36. When was Defendant first aware of reports of studies of Trudeau Foundation at Saranac Lake, New York, entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos Workers" by A.J. Lanza, Assistant Medical Director published in the J. Public Health Report, Vol. 50, No. 1, dated January 4, 1935 ("Lanza Report")?

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it did not manufacture any asbestos-containing products in 1935 and is unable to state when it first became aware of the above-referenced report. Georgia-Pacific learned about this report only during the course of asbestos litigation.

37. Please state whether the Defendant at any time has been a member of any "trade organization" or "trade association" composed of other manufacturers, miners, distributors, and/or sellers of asbestos-containing products and, if so, please identify the name and address of each such association or organization, the dates of membership, and the names of any publications issued or written by such association or organization.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it seeks information which is neither relevant to the subject matter of the complaint nor reasonably calculated to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this Interrogatory would impose an undue burden and expense on Georgia-Pacific; and that the interrogatory is vague, ambiguous, overly broad and oppressive. Subject to and without waiving its objections, Georgia-Pacific answers that it belongs to the Gypsum Association, ASTM, and AWCI. Georgia-Pacific joined the Gypsum Association in 1965. Prior to 1965, Bestwall Gypsum Company was a member of the Gypsum Association at least back to 1956.

38. With respect to each trade organization or association listed in answer to Interrogatory No. 37, please state whether the minutes of the group's meetings and any correspondence between the members of such groups concerning the hazards of asbestos exposure are available.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it seeks information which is neither relevant to the subject matter of the complaint nor reasonably calculated to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this Interrogatory would impose an undue burden and expense on Georgia-Pacific; and that the interrogatory is vague, ambiguous, overly broad and oppressive. Georgia-Pacific further objects on the basis that it seeks information regarding third parties.

39. Please identify by name the technical and trade association periodicals to which the Defendant subscribed, and state whether Defendant had knowledge of any articles being printed or withheld from printing, in said periodicals pertaining to the potential hazards of asbestos. If so, please state the following:

- (a) The title of each such article;
- (b) The periodical in which each such article was published;
- (c) The date each such article was published;
- (d) A detailed explanation of the reason for withholding any such article for printing;
- (e) Produce documentation which refers, alludes or mentions articles which were withheld for publication.

ANSWER:

See Georgia-Pacific's response to Interrogatory No. 30.

40. Please state whether, prior to 1975, the Defendant sponsored, or attended any meeting, seminar, conference, convention or legislative hearing where the subject of occupational health and exposure to asbestos was discussed and, if so, please state the date and place of such meeting and the name and address of any speakers or participants.

ANSWER:

Georgia-Pacific objects to this Interrogatory. It would be impossible for Georgia-Pacific to identify every meeting it or any of its agents or employees have ever attended where asbestos or occupational health was discussed.

WARNINGS/SALES PROMOTION

41. As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The name of each relevant product;
- (b) The wording of each such warning;
- (c) A description of each such printed material;
- (d) The method used to distribute the warning to persons who are likely to use the products;
- (e) The date each such warning was issued;
- (f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;
- (g) Please attach a copy of the warning and date said warning was issued;
- (h) The name, address, and job classification of each person who presently has possession of the above-described documents;
- (i) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

ANSWER:

It appears that Georgia-Pacific began using caution labels which were affixed to the containers of its asbestos-containing products in 1973 and discontinued labeling when asbestos was eliminated from its products, a process which was completed in 1977. Caution labels were worded in accordance with the recommendations of OSHA as follows:

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM

Where appropriate, the following additional language appeared on the label:

WHEN MIXING OR SANDING USE APPROVED RESPIRATOR
or
USE APPROVED RESPIRATOR WHEN SANDING.

42. Has sales material been prepared by Defendant or its agents for purposes of marketing or advertising the asbestos products listed in answer to Interrogatory No. 5? If so, please state:

- (a) The name and address of each person or entity who prepared same;
- (b) The name, address and job title of each person who presently has possession of same;
- (c) The date same was prepared;
- (d) The media used to disseminate the sales material.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it seeks information which is neither relevant to the subject matter of the complaint nor reasonably calculated to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this Interrogatory would impose an undue burden and expense on Georgia-Pacific; and that the interrogatory is vague, ambiguous, overly broad and oppressive. Subject to and without waiving its objections, Georgia-Pacific states that product brochures are available for most years in which Georgia-Pacific and Bestwall Gypsum Company's asbestos-containing products were manufactured and sold. A very limited amount of documentation still exists concerning the advertisement of these products. All documents, if any, relevant to this Interrogatory are in the custody and control of the Law Department of Georgia-Pacific, 133 Peachtree Street, N.E., Atlanta, Georgia 30303.

43. Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate user? If so, please state the following:

- (a) The name, address and job classification of each person who prepared same;
- (b) The name, address and job classification of each person who presently has possession of same;
- (c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

ANSWER:

See Georgia-Pacific's response to Interrogatory No. 41. Georgia-Pacific further states that all of its products contained instructions regarding product usage.

44. Was any written material of any kind prepared by Defendant and distributed to those individuals listed in response to Interrogatory No. 9? If so, please state the following:

- (a) Identify the written material by content and date;
- (b) To whom was it delivered.

ANSWER:

Not applicable. Based upon reasonable inquiry, Georgia-Pacific sold no asbestos-containing products to Armco Steel plants.

45. Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to persons working with or around, installing or applying same? If so, please state the following:

- (a) The date that Defendant first determined that another product could be used in place of asbestos;
- (b) The chemical of the substitute;
- (c) Whether the substitute is suitable for the purpose for which they are to be used;
- (d) Whether Defendant used the substitute for asbestos to 1971;
- (e) Whether Defendant ever used the substitute for asbestos for high or low heat insulation.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving this objection, Georgia-Pacific states that no one product was ever identified which could be used in place of asbestos in the asbestos-containing products manufactured by Georgia-Pacific. In 1970, when Georgia-Pacific received information which suggested a potential health hazard associated with the use of products used in the building construction industry, Georgia-Pacific immediately began an effort to eliminate asbestos from its products. As of 1977, Georgia-Pacific replaced asbestos in its products and ceased the manufacture of asbestos-containing products and since that time it has not engaged in any manufacture of such products.

46. Did Defendant give any warnings to ARMCO/A.K. Steel Middletown Plant and/or ARMCO A.K. Steel Hamilton Plant regarding the potential health hazards of any product listed in response to Interrogatory No. 5. If yes, please state:

- (a) Name of person most knowledgeable about this communication.
- (b) Name of person at ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant most knowledgeable about this communication.
- (c) Dates of each communication.
- (d) Contents of each communication.

ANSWER:

Georgia-Pacific is unable to answer this Interrogatory because the plaintiff has not identified which Georgia-Pacific products were allegedly used, the time period(s) during which those products were allegedly used, the circumstances under which those products were allegedly used, or the source(s) from which those products were allegedly purchased. Accordingly, Georgia-Pacific objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence, particularly in light of the fact that the plaintiffs have failed to identify exposure to a specific Georgia-Pacific asbestos-containing product.

KNOWLEDGE OF PREVIOUS INJURIES

47. Did any person prior to 1970, file a claim against any Workers' Compensation carrier covering Defendant alleging that he or she contracted a disease as a result of exposure to asbestos? If so, please state the following:

- (a) A list of each such claim by claimant's name, date filed, the caption and jurisdiction involved;
- (b) The disease alleged in each such claim;
- (c) A brief summary of the disposition of each such claim; and
- (d) The name, address and job classification of the person or persons having custody of the records pertaining to each such claim.

ANSWER:

No.

48. Did Defendant receive notice prior to 1968 that any person was claiming injury as a result of using asbestos products manufactured, sold, installed, and/or distributed by Defendant? If so, please state:

- (a) The name and address of each claimant;
- (b) The date of notice of each claim;
- (c) A description of the claim;
- (d) The type of injuries allegedly sustained;
- (e) The name and address of each attorney representing the individuals making such claims;
- (f) The style and court number of each such claim;
- (g) The resolution of each claim.

ANSWER:

No.

PLAINTIFF/DECEDENT

49. Has Defendant obtained statement from any witnesses including Plaintiffs? If so, please:

- (a) list each witness who has given a statement and the name, address, and job title of each person having custody of any such statement.

ANSWER:

No.

50. Do you contend that the Plaintiff/Decedent improperly used those products listed in response to Interrogatory No. 5? If so, please set out in detail in what respect the product was improperly used.

ANSWER:

Discovery is on-going at this time. The response to this Interrogatory will be supplemented as discovery progresses.

51. As to the ARMCO/A.K. Steel Middletown Plant and/or ARMCO/A.K. Steel Hamilton Plant, and as to each Plaintiff/Decedent, please state whether Defendant contends that there was any substance other than asbestos which contributed or caused Plaintiff/Decedent's injuries. If your answer is yes, please state the following:

- (a) The facts upon which you rely;
- (b) The identity of the sources upon which you rely which substantiate these facts.

ANSWER:

Discovery is on-going at this time. The response to this Interrogatory will be supplemented as discovery progresses.

RESPIRATORS

52. Would any respirator, mask or other breathing devices prevent inhalation of the asbestos dust and fibers contained in products listed in answer to Interrogatory No. 5? If so, state:

- (a) When the respirator was sold;
- (b) A detailed description of such respirator or other breathing devices, including name of manufacturer and model number;
- (c) The basis of your claim that such respirators or other breathing devices will prevent the inhalation of such dust and fibers;
- (d) Identify any tests performed regarding the efficaciousness of such respirators and other breathing devices in preventing the inhalation of asbestos dust and fibers including date, title, author and number;

- (e) List all documents which mention, allude or refer to tests performed on breathing devices which prevented the inhalation of asbestos dust and/or fibers.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it is very broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Georgia-Pacific has not undertaken any tests of respirators or other breathing devices for the purposes of determining whether or not such devices would prevent inhalation of 100% of the asbestos dust and fibers given off or released from its products. Georgia-Pacific attached caution labels to its products which recommended the use of approved respirators when mixing or sanding. Georgia-Pacific has not, however, tested each respirator to determine whether or not such approved respirators prevent inhalation of 100% of the asbestos dust omitted from the use of any products nor does it believe that the removal of 100% of any asbestos dust is necessary to protect its user from potential disease or injury.

53. Does Defendant expect to call expert witnesses at the trial of this case? If so, please state the following:

- (a) Their identity, last known address;
- (b) The subject matter on which the expert is expected to testify;
- (c) The expert's specific conclusion and specific opinions and the specific basis therefore;
- (d) The expert's qualifications to render the opinions set forth above;
- (e) Whether any person identified in sub-paragraph (a) above has provided a report or other documentation to you, and if so, identify such document or report;
- (f) Identify all documents that you have provided to each person identified in response to sub-paragraph (a) above; and
- (g) Describe in detail the education and work history of, and identify any books, treaties, article, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to sub-paragraph (a) above. Alternatively, in lieu, of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answer.

ANSWER:

Georgia-Pacific has not yet determined the identities of the persons whom it expects to call as expert witnesses at trial. Georgia-Pacific will supplement this Interrogatory at the appropriate time.

54. Please state the name and last known address of each expert witness who is not retained or employed for that purpose who is an employee of Defendant and will render an opinion within his expertise at the time of trial.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the grounds that it exceeds the scope of permissible discovery. Subject to and without waiving this objection, Georgia-Pacific states that it has not yet identified such witnesses in this case.

55. Does Defendant admit that service of process was properly had on it in these cases? If not, please state why.

ANSWER:

Yes.

56. Does Defendant have policies of insurance that might cover the claims that have been made by the Plaintiffs herein?

- (a) If so, please list the name of each insurance carrier who may have coverage, the amount of such coverage, and the dates of each such policy.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, Georgia-Pacific notes that it is uncertain as to its insurance coverage for the plaintiff's claims and that issues relating to such coverage have not yet been fully resolved with this defendant's insurance carriers.

57. Please state the name and address of each person who has knowledge of relevant facts regarding claims and defenses of this lawsuit.

ANSWER:

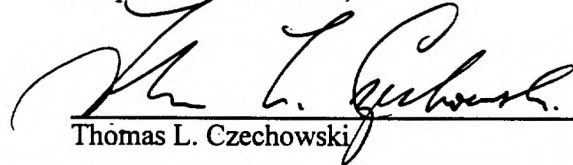
Georgia-Pacific has not yet determined which non-expert witnesses may have knowledge of relevant facts regarding claims and defenses in this lawsuit. This Interrogatory will be supplemented at the appropriate time.

58. State the last date that this Defendant sold, distributed, manufactured, installed, and/or otherwise placed asbestos-containing products into the stream of commerce.

ANSWER:

Georgia-Pacific objects to this Interrogatory on the basis that it seeks information which is neither relevant to the subject matter of the complaint nor reasonably calculated to lead to the discovery of admissible evidence; that the investigation and preparation of a response to this Interrogatory would impose an undue burden and expense on Georgia-Pacific; and that the Interrogatory is vague, ambitious, ambiguous, overly broad, and oppressive. Subject to and without waiving this objection, Georgia-Pacific states that as of 1977, Georgia-Pacific ceased the manufacture of asbestos-containing products and since that time has not engaged in the manufacture of such products.

Respectfully submitted,


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